# IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

JULIE ELLEN WARTLUFT F/K/A JULIE	:
ELLEN BARTELS AND FREDERICK L.	:
BARTELS, JR., Individually and as Administrators of the Estate of Abrielle Kira Bartels, Deceased, Plaintiffs,	: C.A. NO.: : 1:16-cv-02145-CCC
VS.	: (CONNER, C.J.)
THE MILTON HERSHEY SCHOOL, and THE HERSHEY TRUST COMPANY, AS TRUSTEE OF THE MILTON HERSHEY SCHOOL TRUST, Defendants.	: : : : :
ODDED	

#### **ORDER**

AND NOW, this day of, 201, upon
onsideration of Defendants' Motion for Summary Judgment, and Plaintiffs'
esponse in opposition thereto, it is hereby <b>ORDERED</b> that the Motion is
<b>GRANTED</b> . It is <b>FURTHER ORDERED</b> that judgment is entered in favor of
Defendants, and against Plaintiffs on all remaining counts.
Christopher C. Conner, Chief Judge United States District Court
Middle District of Pennsylvania

### IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

JULIE ELLEN WARTLUFT F/K/A JULIE ELLEN BARTELS AND FREDERICK L. BARTELS, JR., Individually and as Administrators of the Estate of Abrielle Kira

Bartels, Deceased,

: C.A. NO.: : 1:16-cv-02145-CCC

Plaintiffs,

(CONNER, C.J.)

VS.

THE MILTON HERSHEY SCHOOL, and THE HERSHEY TRUST COMPANY, AS TRUSTEE OF THE MILTON HERSHEY SCHOOL TRUST,

Defendants.

#### **DEFENDANTS' MOTION FOR SUMMARY JUDGMENT**

Pursuant to Rule 56 of the Federal Rules of Civil Procedure, Defendants, the Milton Hershey School ("MHS" or the "School"), and The Hershey Trust Company ("HTC"), as Trustee of The Milton Hershey School Trust, (collectively, "Defendants"), move for summary judgment on all of Plaintiffs' claims. For the reasons set forth in Defendants' Memorandum of Law in support thereof, and in reliance upon Defendants' Statement of Undisputed Facts, both of which are

<sup>&</sup>lt;sup>1</sup> On October 28, 2016, the Milton Hershey School Trust ("MHST") and the Board of Managers of the Milton Hershey School ("BOM") were dismissed from this action. *See* Dkt. Sheet (terminating MHTC and BOM from the case on October 28, 2016).

incorporated herein by reference and are being contemporaneously submitted for filing with the Court under seal, this Court should grant Defendants' Motion.

Respectfully submitted,

ELLIOTT GREENLEAF, P.C.

/s Jarad W. Handelman

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Counsel for Defendants

Dated: June 22, 2018

**CERTIFICATE OF NON-CONCURRENCE** 

Pursuant to Local Rule 7.1, undersigned counsel certifies that he sought concurrence for the Motion from Plaintiffs, and that it has not been granted.

/s Jarad W. Handelman

Jarad W. Handelman, Esquire

Dated: June 22, 2018

## **CERTIFICATE OF SERVICE**

I, Jarad W. Handelman, Esquire, hereby certify that I caused the foregoing to be served via electronic mail upon all counsel of record, including:

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/s Jarad W. Handelman

Jarad W. Handelman, Esquire

Dated: June 22, 2018